

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

JAMES PENNINGTON

PLAINTIFF

v.

Civil No. 07-5133

DEPUTY MONROE T. LEE;
SGT. FAULKENBERRY; and
DEPUTY LEE

DEFENDANTS

ORDER

Plaintiff filed a motion to amend or correct the complaint (Doc. 5). In his motion, plaintiff asks to be allowed to correct two of the defendants' names. The court by letter dated September 7, 2007, sought clarification from the plaintiff whether he intended to name only two individuals as defendants, Deputy Monroe T. Lee and Sgt. Faulkenberry, or whether he meant to name Deputy Monroe, Deputy T. Lee, and Sgt. Faulkenberry as defendants.

To date, plaintiff has failed to respond to the court's letter. The letter was initially returned as undeliverable with a notation that plaintiff was no longer incarcerated at the Benton County Detention Center. The letter was re-mailed to the plaintiff at the address plaintiff had provided to detention center officials when he was booked in. The letter has not been returned to the court as undeliverable a second time. The court has received no communication from the plaintiff.

Plaintiff is given until **December 10, 2007, to show cause why this action should not be dismissed based upon his failure to prosecute this action.**

IT IS SO ORDERED this 26th day of November 2007.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE